

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**

IN RE: ETHICON, INC.,
PELVIC REPAIR SYSTEMS
PRODUCTS LIABILITY LITIGATION

MDL NO. 2327

THIS DOCUMENT RELATES TO THE CIVIL ACTION NOS. LISTED ON THE ATTACHED EXHIBITS:

**JOINT MOTION TO DISMISS DEFENDANT
AMERICAN MEDICAL SYSTEMS, INC. WITH PREJUDICE**

Plaintiffs in the cases listed on the attached Exhibits A-B and defendant American Medical Systems, Inc. (“AMS”) advise the Court that they have compromised and settled all claims between them in these actions, including all counterclaims, cross-claims and third party claims. Accordingly, Plaintiffs and AMS jointly move the court to dismiss AMS as a defendant in these actions with prejudice, and terminate AMS from the docket in the actions, parties to bear their own costs. Other defendants remain in these actions, and plaintiffs will continue to prosecute these actions against them.

Respectfully:

/s/ Barbara R. Binis

Barbara R. Binis

REED SMITH

Three Logan Square, Suite 3100

1717 Arch Street

Philadelphia, PA 19103

215.851.8100 (phone)

215.851.1420 (fax)

bbinis@reedsmith.com

Attorney for Defendant American Medical Systems, Inc.

/s/ Aimee H. Wagstaff
Aimee H. Wagstaff
ANDRUS WAGSTAFF
7171 West Alaska Drive
Lakewood, CO 80226
303.376.6360 (phone)
303.376.6361 (fax)
Aimee.Wagstaff@ahw-law.com
Attorney for Plaintiffs on Exhibit A

/s/ John Foley
John Foley
SIMMONS HANLY CONROY
One Court Street
Alton, IL 62002
618.259.2222 (phone)
618.259.2251 (fax)
jfoley@simmonsfirm.com
Attorney for Plaintiffs on Exhibit B

Dated: June 26, 2015

EXHIBIT A - ANDRUS WAGSTAFF

| CIVIL ACTION NUMBER (listed numerically in ascending order) | CASE NAME |
|--|---|
| 2:14-cv-17566 | Jacquelyn Duncan v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc., C. R. Bard, Inc., Tissue Science Laboratories Limited |

EXHIBIT B - SIMMONS HANLY CONROY

| CIVIL ACTION NUMBER (listed numerically in ascending order) | CASE NAME |
|--|---|
| 2:13-cv-04016 | Kathy A. Goshe-Cook v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc. |
| 2:13-cv-06803 | Kay F. Barker, Thomas Barker v. Ethicon, Inc., Johnson & Johnson American Medical Systems, Inc. |

CERTIFICATE OF SERVICE

I hereby certify that on June 26, 2015, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in these member cases.

/s/Barbara R. Binis